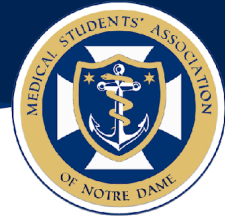


MEDICAL STUDENTS' ASSOCIATION  
OF NOTRE DAME



MSAND



MSAND

Constitution of the Medical Students' Association of Notre Dame (MSAND) Inc.



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# MEDICAL STUDENTS' ASSOCIATION OF NOTRE DAME

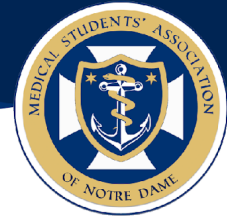


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## **Constitution of MSAND**

### Preamble

MSAND is the peak representative body of the Medical Students of Notre Dame, Fremantle. It is our student voice - independent, measured, inclusive, pragmatic, and forgiving. When we stand united, it provides a vehicle to channel our strength and activities. May we do it, and ourselves, justice.



## Part 1: MSAND

### 1. *Name of Association*

The name of the association is the: "Medical Students' Association Notre Dame (MSAND) Inc.". The association may be referred to as the Medical Students' Association of Notre Dame (MSAND).

### 2. *Definitions*

In this constitution, unless the contrary intention appears:

**"Absolute Majority"** means a majority of all the members of the body concerned regardless of the number attending the meeting of the body;

**"AMSA"** means the Australian Medical Students' Association;

**"Annual General Election"** means the annual election of the Committee Members;

**"Annual General Meeting"** means the Annual General Meeting held in the second half of the normal academic year;

**"CAMS"** means the Curtin Association of Medical Students;

**"Chairperson"** means:

(a) in relation to the proceedings at a general meeting, the person presiding at the general meeting in accordance with section 46; or

(b) in relation to the proceedings at an MSAND Committee Meeting, the person presiding at the Committee Meeting in accordance with section 19;

**"Committee" and "MSAND Committee"** means the membership of the Committee, which is composed of the Executive and the non-Executive Committee Members;

**"Committee Meeting"** means a monthly meeting for the dispatch of business of the Committee;

**"Committee Member"** means a member of the Committee;

**"Constitution"** refers to this document and all sections of it contained herein, known as "The Constitution of the Medical Students Association Notre Dame (MSAND) Inc." and constitutes the rules of MSAND;

**"Days"** means any 24 hour period reckoned from and to midnight and includes Public Holidays, University Holidays and weekends;

**"DEA"** means Doctors for the Environment Australia;

**"Dues"** means an amount of money to be paid by each member in order to achieve financial member status;



MSAND

- “Employee”** means a person paid by an employer in exchange for services;
- “Executive”** means the executive body of MSAND referred to in section 16;
- “Financial Year”** the period defined by the MSAND Treasurer as the associations financial year;
- “Fremantle Campus”** means the Campus of the University located in Fremantle, Western Australia;
- “General Meeting”** means a meeting convened under section 47;
- “Handover Meeting”** means a meeting convened after the Annual General Meeting, at which the outgoing Committee concludes their terms of office, and the incoming Committee commences their terms of office.
- “Member”** means a member of MSAND;
- “MSAND”** means the “Medical Students Association Notre Dame (MSAND) Inc.” or the Medical Students’ Association of Notre Dame (MSAND);
- “Ordinary Resolution”** means a resolution other than a special resolution;
- “Person”** means any natural person and includes a person who is not an MSAND member;
- “Poll”** means voting conducted in written or electronic form;
- “President”** means the President of MSAND referred to in section 26;
- “Referendum”** a vote by the student body on a single question or measure proposed by MSAND or by student body initiative;
- “School of Medicine” (SoM)** means the School of Medicine at the University of Notre Dame, Fremantle campus;
- “Secretary”** means MSAND Secretary referred to in section 29;
- “Simple Majority”** means more than fifty per cent of members with voting rights, attending the meeting;
- “Special Interest Group” or “SpIG”** means a group of MSAND members as outlined in the Special Interest Group Operational Guidelines;
- “Special Resolution”** is a change to the MSAND Committee rules and/or constitution and requires not less than 75% of members present and eligible to vote at the annual general meeting;
- “Student”** means a person enrolled in the School of Medicine at the University of Notre Dame, Fremantle campus;
- “Student Body”** means all students enrolled at the School of Medicine at the University of Notre Dame, Fremantle campus;
- “Teaching Day”** means a day as defined above which is officially designated by the SoM as a day when classes are scheduled. The following are specifically excluded from the definition:
- (a) any day which falls outside a semester designated by the SoM;



- (b) Public Holidays observed by the SoM;
- (c) days designated by the SoM as non teaching Days; and
- (d) days designated by the SoM as formal examination periods.

**“Treasurer”** means MSAND Treasurer referred to in section 30;

**“University”** means The University of Notre Dame Australia;

**“Vice President External”** means the MSAND Vice-President referred to in section 28;

**“Vice President Internal”** means the MSAND Vice-President referred to in section 27;

**“WAMSS”** means the Western Australian Medical Students’ Society;

**“Week”** means any seven-day period reckoned from and to Sunday midnight.

### **3. Interpretation**

3.1 Where in this constitution:

- i. the word “may” is used in conferring a power such word shall be interpreted to imply that the power so conferred may be exercised or not at discretion, and where in a section the word "shall" is used in conferring a power such word shall be interpreted to mean that the power so conferred must be exercised;
- ii. a power or a duty to make appointments to an office or position is imposed on a person or body, unless the contrary intention appears, the power includes a power to remove or suspend a person appointed and to appoint another person temporarily in the place of the person suspended or in place of a sick or absent holder of the office or position;
- iii. the word “section” is used, it refers to a section of this constitution unless its context proves it to relate to a section of a specified statute;
- iv. the word “subsection” is used it refers to:
  - a) the subsection of the section to which the word was used;
  - b) the subsection of a section that is specified in context of the use of the word. Whenever in the constitution it is provided that appointment shall be made at a specific meeting of the MSAND Committee and such appointment is not made, for whatever reason, the appointment shall be made at the earliest next meeting.

3.2 In this constitution unless the context otherwise requires each in the singular number is to be construed as including the plural number.





#### **4. Objects of MSAND**

- 4.1 The objects of MSAND, a non-profit organisation, shall be to:
- i. promote the wellbeing and interests of the students;
  - ii. further the common interests of students;
  - iii. provide for and encourage communication among students;
  - iv. provide extra-curricular activities for the general well-being of students;
  - v. represent students whenever such representation is necessary or desirable, and to provide a recognised means of communication between the students and the School of Medicine, University authorities and other relevant bodies;
  - vi. assist and cooperate with any body or organisation having kindred aims;
  - vii. provide, conduct or manage educational, cultural, sporting, welfare, recreational or commercial facilities or activities intended for the benefit directly or indirectly, of students;
  - viii. reach beyond the University boundaries and contribute effectively to the wider community.
- 4.2 The property and income of MSAND shall be applied solely towards the promotion of the objects of MSAND and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members, except in good faith in the promotion of those objects, and in accordance with this constitution.

#### **5. Powers of MSAND**

- 5.1 The powers conferred on MSAND are such that MSAND in accordance with the constitution may do all things necessary or convenient for carrying out its objects and purposes, and in particular, may:
- i. operate banking accounts;
  - ii. transact such financial business as may be necessary to carry out the objects of MSAND, in a manner authorised by this constitution;
  - iii. affiliate with any kindred association;
  - iv. raise money for any of the objects of MSAND;
  - v. appoint agents to transact any business of MSAND on its behalf;
  - vi. enter into contracts;
  - vii. provide for representation of MSAND and its members in cultural, sporting and social activities;
  - viii. take such actions as reasonably necessary in the performance of its obligations.



**6. Discrimination**

- 6.1 No person in the student body shall be discriminated against by MSAND on the basis of race, sex, religion, political beliefs, physical disability, age or financial status.

**7. Employment as a conflict of interest**

- 7.1 Any member nominating for a position in the MSAND Committee who is also an employee of a sponsor or potential sponsor must declare their affiliation prior to election.
- 7.2 Any current MSAND Committee Member who undertakes employment with a sponsor or potential sponsor during their period in office must declare any conflict of interest.



## **Part 2: Membership**

### **8. Qualifications for membership of MSAND**

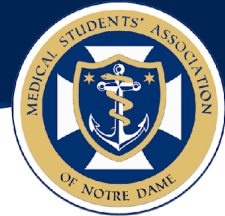
- 8.1 Comprise eligible students that have registered with MSAND, and agreed to the full terms of membership.
- 8.2 The amount, frequency and payment procedures for dues shall be determined annually by the Committee.
- 8.3 The following persons or classes of persons shall not be eligible to be members:
  - i. persons who are not students;
  - ii. such persons and classes of persons as the MSAND Committee declares to be ineligible for membership of MSAND in accordance with this constitution.
- 8.4 A member shall cease to be a member when:
  - i. they cease to be a student;
  - ii. they resign from MSAND under section 11;
  - iii. they become ineligible to be a member;
  - iv. they are expelled from MSAND in accordance with section 12.

### **9. Member entitlements**

- 9.1 All members of MSAND shall be entitled to all the rights and privileges and shall observe the duties and obligations specified in this Constitution.
- 9.2 The rights and privileges of MSAND members include the benefits obtained by MSAND in pursuit of its objects.

### **10. Register of members of MSAND**

- 10.1 The IT Officer, on behalf of MSAND, must keep and maintain an up-to-date register of the members of MSAND that contains the names, student numbers, and contact details of members.



- 10.2 The register may be made available to a member in a manner that ensures adequate privacy. Upon the request of a member of the Association, the IT Officer shall make the register available for inspection of members, who may make a copy or take an extract of the register.

**11. Resignation of members of MSAND**

- 11.1 A member may resign from MSAND by giving a written notice of resignation to the Secretary.
- 11.2 The resignation takes effect on:
- i. the day and time the notice is received by the Secretary;
  - ii. if a later date is stated in the notice, the later day.

**12. Suspension or expulsion of members of MSAND**

- 12.1 Should the MSAND Committee consider that a member be suspended or expelled from membership because their conduct is detrimental to the interests of MSAND, the Committee shall communicate in writing to the member not less than 30 days before the date of the Committee Meeting referred to in this section notice of:
- i. the proposed suspension or expulsion;
  - ii. the time, date and place of the Committee Meeting at which the question of that suspension or expulsion will be decided;
  - iii. the particulars of that conduct.
- 12.2 At the Committee Meeting referred to under section 12.1, the Committee will present the case of the proposed suspension or expulsion. The proposed suspension or expulsion shall be cast to a secret ballot, to be counted by the Chairperson. The vote is determined by two-thirds majority. The Committee shall decide upon the terms of the suspension.
- 12.3 The result of the Committee Meeting shall be communicated in writing to the member concerned. Suspension or expulsion takes effect upon receipt of the notice to the member.



**13. *Appealing suspension or expulsion***

- 13.1 A member who is suspended or expelled from membership of MSAND under section 12 must, if they wish to appeal against that suspension or expulsion, give notice to the Secretary of their intention to do so.
- 13.2 When notice is given for an appeal under section 13.1:
- i. MSAND in a general meeting must either confirm or set aside the decision of the Committee to suspend or expel the member, after having afforded the member who gave that notice a reasonable opportunity to be heard by, or to make representations in writing to, MSAND in the general meeting;
  - ii. the member who gave that notice is not suspended or does not cease to be a member unless and until the decision of the Committee to expel them is confirmed under this subsection;
  - iii. at the general meeting, the motion to confirm suspension or expulsion shall be cast by secret ballot, to be counted by the Chairperson. The vote is determined by two-thirds majority.



### **Part 3: Governing Structures**

#### **14. Governing bodies**

- 14.1 Subject to this Constitution, MSAND shall be governed by the MSAND Committee.

#### **15. MSAND Committee**

- 15.1 The affairs of MSAND shall be managed by the MSAND Committee consisting of the Executive and the following Committee Members:
- i. Education Chair;
  - ii. Environment Chair;
  - iii. Equity Chair;
  - iv. Rural Chair;
  - v. Social Chair;
  - vi. Social Justice Chair;
  - vii. Sports Chair;
  - viii. Wellbeing Chair;
  - ix. IT Officer;
  - x. Media Officer;
  - xi. Aboriginal Representative;
  - xii. AMSA Representative;
  - xiii. Two Year Representatives for each year group.
- 15.2 All MSAND Committee Members are elected under the provisions of this constitution.
- 15.3 The non-Executive roles within the Committee may be modified by a simple majority of the membership at any general meeting.
- 15.4 The inclusion of additional non-Executive roles within the Committee must be approved by the Executive through the MSAND Committee Member Application Form before being voted by a simple majority of the membership at any general meeting.



**16. The Executive of MSAND**

- 16.1 The Executive of MSAND will consist of:
- i. the President;
  - ii. the Vice President Internal;
  - iii. the Vice President External;
  - iv. the Secretary;
  - v. the Treasurer.

**17. Authority of MSAND Committee**

- 17.1 The MSAND Committee has the power and authority to manage and control the affairs, concerns and property of MSAND and may act in all matters concerning MSAND in such a manner as to promote the interests of MSAND.
- 17.2 Subject to and without limiting the application of sections 4.1, 4.2 and 17.1, MSAND Committee shall have the following specific functions:
- i. to represent students in public ceremonies and functions;
  - ii. to liaise with other universities and bodies external to the University on matters of interest to the student body;
  - iii. to represent the student body in liaising with the University staff members;
  - iv. create subcommittees to assist Chairs;
  - v. to raise funds and seek sponsorships for MSAND.

**18. Finances**

- 18.1 The MSAND Committee will agree each year to a procedure governing authorization of spending, payments, transfer of funds or entering into any other financial obligation on behalf of MSAND. Any such procedure must:
- i. include a process for approval of budgets prior to spending;
  - ii. include a requirement for additional authorisation of 'substantial amounts' as defined by the procedure;
  - iii. include requirements for handling of petty cash, cash advances and reimbursements;
  - iv. include use and custodianship of the MSAND Credit Card.



**19. Chairperson of an MSAND Committee**

- 19.1 The Chairperson of an MSAND Committee meeting shall be the President.
- 19.2 In the absence of the President, the Vice President Internal shall be the Chairperson at a Committee Meeting.
- 19.3 In the absence of the President and Vice President Internal, the Vice President External, shall be the Chairperson at that Committee Meeting.
- 19.4 In the absence of the President, Vice President Internal and Vice President External, a Committee Member elected by the Simple Majority, shall be the Chairperson at that Committee Meeting.

**20. Proceedings of the MSAND Committee**

- 20.1 The Committee shall meet together for the dispatch of business not less than once every month in the academic calendar, except July.
- 20.2 Any member may attend a Committee Meeting, by applying in writing to the Secretary no less than 24 hours prior to the commencement of the meeting. Such persons will have no voting rights.
- 20.3 The Committee may invite any person to attend a Committee meeting for the purposes of informing deliberations. Such persons will have no voting rights.
- 20.4 Notice of meetings must be given to members of the Committee at least 48 hours prior to the meeting either:
  - i. in writing;
  - ii. by telephone;
  - iii. via email;
  - iv. in person.
- 20.5 The Secretary shall prepare and distribute an agenda to all members of MSAND Committee at least 12 hours prior to the commencement of a meeting in any of the following ways:
  - i. in writing;
  - ii. by telephone;





- iii. via email;
- iv. in person.

- 20.6 Any member of MSAND may submit an item to be put on the agenda provided that such agenda items must be submitted to the secretary at least 48 hours prior to the commencement of a Committee Meeting.
- 20.7 Each Committee Member has a deliberative vote.
- 20.8 An objection to a motion arising at a Committee Meeting shall be decided by a majority of votes, but, if there is no majority, the person presiding at the Committee Meeting will have a casting vote in addition to their deliberative vote.
- 20.9 Subject to this constitution, the Committee Members present at the Committee Meeting shall determine the procedure and order of business to be followed at Committee Meetings.
- 20.10 At a Committee Meeting, quorum is achieved when at least half plus one of the Committee are present, including the Chairperson.
- 20.11 Any member who has any direct or indirect pecuniary interest in a decision, or proposed decision of MSAND, shall as soon as they become aware of that interest, disclose the nature and extent of their interest to the Committee.
- 20.12 The Committee shall vote if this conflict of interest shall preclude the member from participation in deliberations. Simple majority shall determine the vote.
- 20.13 The Secretary must ensure every disclosure made under section 20.11 by a member is recorded in the minutes of the meeting.
- 20.14 Any absent member may vote on a motion via a proxy vote as outlined in section 50.

## **21. Minutes of Committee Meetings**

- 21.1 The Secretary must ensure the minutes of all proceedings at all Committee Meetings be taken and then properly documented within seven days of that meeting.



- 21.2 Minutes must be distributed to all MSAND Committee Members within 7 days of that MSAND Committee Meeting.
- 21.3 Minutes must be checked and confirmed at the next MSAND Committee Meeting by the members who were present at the relevant meeting and the Chairperson must approve the minutes as a correct record.
- 21.4 Following approval by the Chairperson, the full version of the meeting minutes must be made available to members on the MSAND website.
- 21.5 A summary of the meeting minutes must be shared online and made available to members on social media platforms by the Media Officer after review by the President and/or Secretary within 7 days of the meeting.

## **22. Resignation or removal from office of Committee Members**

- 22.1 A member of MSAND Committee who wishes to resign from the Committee must submit their resignation in writing to the President, except that where the Committee Member wishing to resign is the President, they must submit their resignation in writing to the Vice-President Internal.
- 22.2 The resignation takes effect:
  - i. two weeks after the day and time the notice is received by the President (or Vice President Internal as the case may be);
  - ii. if a later date is specified in the notice, on the later date.
- 22.3 Any member of the MSAND Committee who acts in such a way as to be antagonistic towards the purpose of MSAND may be assessed by the Committee as liable to removal from the MSAND Committee. The Committee must produce a formal document stipulating the violations of the member deemed to be antagonistic.
- 22.4 A Committee Member liable to removal will be issued with a letter from the President stipulating the violation(s) antagonistic to the purposes of MSAND, and calling upon the Committee Member to show cause why they should not be removed from office at a meeting of the MSAND Committee, except that where



the Committee Member liable to removal is the President, the Vice President Internal shall issue such a letter.

- 22.5 The meeting of the MSAND Committee referred to in section 22.4 shall be convened no less than two weeks after the letter has been issued to the Committee Member.
- 22.6 At the meeting referred to in section 22.4, the member shall be given a full and fair opportunity to show cause why they should not be removed from office, and only after that opportunity has been provided will the Committee vote on the issue. This vote shall be undertaken by secret ballot, and determined by two thirds majority.

**23. *Casual vacancies in membership of MSAND Committee***

- 23.1 A casual vacancy occurs in the office of a Committee Member if:
- i. the Committee Member dies;
  - ii. resigns following the procedure outlined in Section 22.1 and 22.2;
  - iii. is permanently incapacitated by mental or physical ill-health;
  - iv. is absent from more than:
    - a) three consecutive Committee Meetings;
    - b) three Committee Meetings in the same financial year, of which they have received notice without tendering an apology to the person presiding at each of those Committee Meetings.
  - v. without leave being granted by the Committee:
    - a) ceases to be a member of MSAND;
    - b) ceases to satisfy the qualifications for candidates contained in section 56;
    - c) is removed from office under the procedures outlined in section 22.

**24. *Purpose of the Executive***

- 24.1 The Executive shall determine any matters referred to it by the MSAND Committee and any matters that cannot be reasonably deferred until the following meeting of the MSAND Committee.
- 24.2 The Executive shall meet at such times and places as the President may decide.



**25. Interim Policy**

- 25.1 The Executive may determine an interim policy where no policy of the MSAND Committee exists.
- 25.2 An interim policy as referred to in section 25.1 will automatically lapse upon the day of the following MSAND Committee Meeting unless specifically ratified by that meeting of MSAND Committee.

**26. MSAND President**

- 26.1 The President of MSAND shall:
  - i. be known as the "MSAND President";
  - ii. be elected by the student body in accordance to the provisions of this constitution;
  - iii. serve an approximate one year term as outlined in section 53.
- 26.2 The President shall:
  - i. direct, coordinate, and supervise the work of the other elected and appointed office bearers of the Committee;
  - ii. direct the activities and manage the affairs of MSAND;
  - iii. provide a President's report at the AGM;
  - iv. liaise with the Notre Dame Students Association, providing a point of contact for medical students;
  - v. liaise with the staff of the School of Medicine;
  - vi. act as an official representative of MSAND.
- 26.3 The President of MSAND shall act in an advisory role in the year following their term as President. In the event of the outgoing President not being able to fulfill the role, the position defaults to another member of the outgoing executive. The responsibility of the immediate past president will be to:
  - i. act as a mentor to the new MSAND president;
  - ii. maintain continuity between Committees;
  - iii. attend Committee Meetings when available and if requested to do so.
- 26.4 Failure to adhere to constitutional duties shall constitute grounds for removal from office and/or MSAND Committee by the proceedings outlined in section 22.



**27. MSAND Vice President Internal**

- 27.1 The Vice President Internal of MSAND shall:
- i. be known as the "MSAND Vice President Internal";
  - ii. be elected by the student body in accordance with the provisions of this constitution;
  - iii. serve an approximate one year term as outlined in section 53.
- 27.2 The Vice President Internal shall:
- i. assist other Committee Members where relevant;
  - ii. organise and run events as required;
  - iii. liaise with the staff of the SoM;
  - iv. assist the Secretary in managing the affairs of SplGs in accordance with the Special Interest Group Operational Guidelines;
  - v. assist the President with managing the affairs of MSAND;
  - vi. act in other roles normally performed by the president in circumstances where it is impossible or impractical for the President to fulfill those roles.
- 27.3 In the event of a vacancy in the office of President, the Vice President Internal shall:
- i. assume the role of the President until a new president is elected by a majority vote of MSAND Committee at the next MSAND Committee Meeting;
  - ii. if unable to assume the role of President, appoint another MSAND Committee Member as temporary President until the next MSAND Committee Meeting.
- 27.4 Failure to adhere to constitutional duties shall constitute grounds for removal from office and/or MSAND Committee.

**28. MSAND Vice President External**

- 28.1 The Vice President External of MSAND shall:
- i. be known as the "MSAND Vice President External";
  - ii. be elected by the student body in accordance with the provisions of this constitution;
  - iii. serve an approximate one year term as outlined in section 53.
- 28.2 The Vice President External shall:
- i. perform duties related to sponsorship;



- a) maintain MSAND sponsorship prospectus;
  - b) initiate and develop relationships with current and potential sponsors;
  - c) work with the Treasurer to ensure the correct management of sponsorship monies;
  - d) adhere to the MSAND sponsorship policy.
- ii. work with the Treasurer and other portfolio holders to ensure that budgets are set;
  - iii. manage branding approval along with the Media Officer for advertising materials such as posters;
  - iv. act in other roles normally performed by the president in circumstances where it is impossible or impractical for the President or Vice President Internal to fulfill those roles;
- 28.3 Failure to adhere to constitutional duties shall constitute grounds for removal from office and/or MSAND Committee.

## **29. Secretary**

- 29.1 The Secretary shall:
- i. be known as the "MSAND Secretary";
  - ii. be elected by the student body in accordance with the provisions of this constitution;
  - iii. serve an approximate one year term as outlined in section 53.
- 29.2 The Secretary shall:
- i. coordinate the correspondence of MSAND;
  - ii. keep full and correct minutes of the proceedings of the MSAND Committee;
  - iii. on behalf of MSAND:
    - a) keep and maintain the constitution of MSAND in an up-to-date condition;
    - b) maintain a record of the names and contact details of the persons who hold the offices of MSAND Committee provided for by the constitution of MSAND;
    - c) have custody of all books, documents, records and registers of MSAND, other than those required by section 30 to be kept and maintained by the Treasurer;
    - d) be responsible for communication within MSAND;
    - e) be able to delegate responsibilities from the preceding subsections to a member of the Committee;



MSAND

- f) perform such other duties as are imposed by this constitution on the Secretary;
- g) facilitate the administration of the MSAND Bursary Fund;
- h) will liaise between Special Interest Group chairs and the MSAND Committee in accordance with the Special Interest Group Operational Guidelines.

29.3 Failure to adhere to constitutional duties shall constitute grounds for removal from office and/or MSAND Committee.

### **30. Treasurer**

30.1 The Treasurer shall:

- i. be known as the "MSAND Treasurer";
- ii. be elected by the student body in accordance with the provisions of this constitution;
- iii. serve an approximate one year term as outlined in section 53.

30.2 The Treasurer shall:

- i. be responsible for the receipt of all moneys paid to or received by, or by them on behalf of, MSAND and shall issue receipts for those moneys in the name of MSAND;
- ii. pay all moneys referred to in paragraph (i) into such account or accounts of MSAND as the Committee may direct;
- iii. make payments from the funds of MSAND with the authority of the Committee in accordance with section 18;
- iv. on behalf of MSAND:
  - a) maintain accounting records as to correctly record and explain the financial transactions and financial position of MSAND;
  - b) keep its accounting records in such manner as will enable true and fair accounts of MSAND to be prepared;
  - c) submit at each Annual General Meeting a financial report for the preceding financial year, in accordance with section 18;
  - d) maintain a minimum financial reserve sufficient to ensure the fiscal stability and sustainability of the organisation.
- v. shall submit a balance sheet, report, or financial statement to the Committee at each Committee Meeting and as directed to do so by the President;





- vi. have custody of all securities, books and documents of a financial nature and accounting records of MSAND.

30.3 Failure to adhere to constitutional duties shall constitute grounds for removal from office and/or MSAND Committee.

### **31. Education Chair**

- 31.1 The responsibility of the Education Chair is to:
- i. work within the University to provide educational support and address educational needs as requested by the student body;
  - ii. represent MSAND on relevant SoM and University committees pertaining to the curriculum and evaluation of the medical course.

### **32. Environment Chair**

- 32.1 The responsibility of the Environment Chair is to:
- i. inform the student body on climate action and climate health through educational initiatives;
  - ii. act as the liaison between MSAND and DEA and represent MSAND at a DEA level for all relevant matters.

### **33. Equity Chair**

- 33.1 The responsibility of the Equity Chair is to:
- i. liaise with SoM staff regarding issues of diversity and equal representation within the school curriculum;
  - ii. facilitate training sessions for MSAND Committee Members with the University Respect team and to promote their services within the SoM;
  - iii. represent and advocate on behalf of all medical students on issues regarding disability access, gender, and sexuality within the medical school and the wider university and to ensure equitable access to both educational and support services;
  - iv. organise events that promote equity, awareness of diversity, and cultural sensitivity in clinical practice.





**34. Rural Chair**

- 34.1 The responsibility of the Rural Chair is to:
- i. promote awareness of rural affairs at Notre Dame Medical School;
  - ii. serve as a liaison between the student body and any other significant groups involved in rural health, including SPINRPHEX;
  - iii. provide information or direction regarding rural employment pathways, rural scholarship schemes, conferences and educational supplements where available;
  - iv. be the primary liaison person between MSAND and the SoM rural staff.

**35. Social Chair**

- 35.1 The responsibility of the Social Chair is to:
- i. initiate and organize a range of activities outside of contact hours to promote and foster a sense of belonging/family/community between MSAND members as well as the wider Fremantle/Perth society;
  - ii. prepare an events calendar;
  - iii. in liaison with the Treasurer and past Social Chair, develop a social budget.

**36. Social Justice Chair**

- 36.1 The responsibility of the Social Justice Chair is to:
- i. foster and develop participation in social justice initiatives within the student community, and the broader general community;
  - ii. appoint a Global Health Officer to the subcommittee to assist in organising activities to promote global health.

**37. Sports Chair**

- 37.1 The responsibility of the Sports Chair is to:
- i. initiate and organise a variety of sport activities;
  - ii. in liaison with the Treasurer, develop a budget for the activities outlined in this section;
  - iii. actively promote the general well being of the student body through sport.



**38. Wellbeing Chair**

- 38.1 The responsibility of the Wellbeing Chair is to:
- i. initiate and organise activities that de-stigmatise discussions surrounding mental health for medical students and doctors as a means to foster a supportive university environment;
  - ii. in liaison with the Treasurer, develop a budget for the activities outlined in this section;
  - iii. actively promote the general well being of the student body;
  - iv. provide access to tangible mental health resources and contacts.

**39. Information Technology (IT) Officer**

- 39.1 The responsibility of the IT Officer is to:
- i. manage the contents, maintenance, and development of the official website of MSAND. The IT Officer should take reasonable steps to manage the content to the standards expected by the student body and academic staff;
  - ii. maintain licencing for Google Workspace and MSAND user accounts within it;
  - iii. manage the sales for all ticketed MSAND events;
  - iv. maintain an up-to-date register of members;
  - v. ensure the security of all online MSAND accounts.

**40. Media Officer**

- 40.1 The responsibility of the Media Officer is to:
- i. manage the content, development and distribution of all publications of MSAND;
  - ii. manage the development and maintenance of the MSAND historical archive, both online and in hardcopy;
  - iii. oversee the content, development, and distribution of all MSAND publications;
  - iv. maintain the MSAND social media presence.

**41. Aboriginal Representative**

- 41.1 The responsibility of the Aboriginal Representative is to:
- i. provide a voice and representation for Aboriginal students;
  - ii. work in collaboration with other Committee Members to organise culturally sensitive events;



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- iii. organise up to two events per year related to Aboriginal culture, spirituality, medicine, language, or other.
- 40.2 There will be no expectation placed on the Aboriginal Representative to educate the Committee on Aboriginal matters.
- 40.3 After the conclusion of their term of office, the outgoing Aboriginal Representative will act in a mentoring role for their successor to provide support and continuity.

#### **42. AMSA Representative**

- 42.1 The responsibility of the AMSA Representative is to:
- i. perform all duties as set forth in the AMSA Regulations & By-Laws;
  - ii. promote AMSA and its initiatives;
  - iii. act as the liaison between MSAND and AMSA and represent MSAND at an AMSA level for all relevant matters;
  - iv. aim to attend, or appoint a proxy to attend, all AMSA Councils and prepare MSAND reports for council;
  - v. provide reports from each AMSA Council to the MSAND Committee at the meeting immediately post council;
  - vi. work closely with the WAMSS and CAMS AMSA representatives to coordinate the WA Leadership Development Seminar;
  - vii. attend, or assign a proxy to attend, AMSA Convention and oversee the MSAND Delegation.

#### **43. Year Representatives**

- 43.1 The responsibilities of the Year Representatives generally are to:
- i. represent the interests of their respective year group to the MSAND Committee and academic staff of the School of Medicine;
  - ii. liaise with the Committee Chairs to ensure adequate involvement in activities, policies and decisions affecting their year group.
- 43.3 MEDI6100 Year Representatives shall:
- i. meet with the First Year Coordinator and Associate Dean Preclinical to discuss issues pertaining to the MEDI6100 cohort.



- 43.4 MEDI6200 Year Representatives shall:
- i. organise MEDI6200 Halfway Dinner;
  - ii. meet with the Second Year Coordinator and Associate Dean Preclinical to discuss issues pertaining to the MEDI6200 cohort.
- 43.5 MEDI6300 Year Representatives shall:
- i. facilitate implementation of an MSAND Peer Mentor Program;
  - ii. organise the Friday Friendlies social events;
  - iii. meet with the Associate Dean Clinical to discuss issues pertaining to the MEDI6300 cohort.
- 43.6 MEDI6400 Year Representatives shall:
- i. be responsible for organising graduation events and activities, including:
    - a) Internship information night
    - b) Graduation seminar
    - c) Graduation ball
    - d) Yearbook
    - e) Graduation jumpers
    - f) Triversity internship mixer
    - g) Graduating gift from fourth year cohort to SoM, including class photo;
  - ii. meet with the Associate Dean Clinical to discuss issues pertaining to the MEDI6400 cohort.

#### **44. Special Interest Groups (SplGs)**

- 44.1 Special Interests Groups may form and must operate in accordance with the MSAND Special Interest Group Operational Guidelines.
- 44.2 All Committee Members are required to liaise with Special Interest Group Chairs on matters of common purpose when required.

#### **45. Alumni association**

- 45.1 The alumni association must operate in accordance with the Alumni Association Operational Guidelines.
- 45.2 MSAND must liaise with the alumni association on matters of common purpose when required.



## **Part 4: General Meetings**

### **46. Chairperson of a General Meeting**

- 46.1 The Chairperson of a general meeting shall be MSAND President.
- 46.2 In the absence of the President, the Vice President Internal shall be the Chairperson at MSAND General Meetings.
- 46.3 In the absence of the President and the Vice President Internal, the Vice President External shall be the Chairperson at the MSAND General Meetings.
- 46.4 In the absence of the President, the Vice President Internal and the Vice President External, a Committee Member elected by the other Committee Members present at the General Meeting, shall preside at the General Meeting, or in the event that the President, Vice President Internal or Vice President External acting as chair would be a clear conflict of interest.
- 46.5 At the President's request and upon approval at the meeting the President may vacate the chair. A chair shall be appointed as per section 46.2, 46.3, and 46.4.

### **47. Proceedings of General Meeting**

- 47.1 The MSAND Committee:
  - i. may convene a special general meeting at any time;
  - ii. must convene an Annual General Meeting, which shall be within the month of October or on a date allowed by the President in a particular case;
  - iii. shall, within 30 days of:
    - a) receiving a request in writing to do so from not less than 25% of the then current membership, convene a special general meeting for the purpose specified in that request;
    - b) the Secretary receiving a notice under section 13, convene a special general meeting for the purpose of dealing with the appeal to which that notice relates.
- 47.2 The members making a request referred to in section 47.1 iii a) shall:
  - i. state in that request the purpose for which the special general meeting concerned is required;



- ii. sign that request.
- 47.3 If a special general meeting is not convened within the relevant period of 30 Days referred to in section 47.1 iii a) the members who made the request concerned may themselves convene a special general meeting as if they were the Committee.

**48. Notice of a General Meeting**

- 48.1 The Secretary shall give to all members not less than 14 Days notice of any and all general meetings and that notice shall specify:
- i. when and where the general meeting concerned is to be held;
  - ii. particulars of the business to be transacted at the general meeting concerned and of the order in which that business is to be transacted.
- 48.2 The Secretary must give to all members not less than 21 Days notice of an Annual General Meeting and that notice must specify:
- i. when and where the Annual General Meeting is to be held;
  - ii. the particulars and order in which business is to be transacted, as follows:
    - a) first, the consideration of the accounts and reports of the Committee;
    - b) second, the announcement of the new Committee Members;
    - c) third, any other business requiring consideration by the Association at the Annual General Meeting.
- 48.3 The Secretary shall give to all members not less than 21 Days notice of a general meeting at which a special resolution is to be proposed and of any other motions to be moved at that general meeting.
- 48.4 The Secretary may give a notice under the preceding sections by:
- i. serving it on a member personally;
  - ii. sending it by email to a members nominated email address;
  - iii. publishing such a notice:
    - a) on the medical school notice board;
    - b) on the medical school student portal;
    - c) on the MSAND website;
    - d) on MSAND social media platforms.



**49. Quorum and procedure at a General Meeting**

- 49.1 At a general meeting two-thirds of the total MSAND membership or thirty members, whichever is the lower, present in person or by proxy constitute a quorum.
- 49.2 If within 30 minutes after the time specified for the holding of a general meeting a quorum is not present then the general meeting stands adjourned to be resumed within a week.
- 49.3 The Chairperson may, with the consent of greater than 50% of a general meeting at which a quorum is present, and shall, if so directed by such a general meeting, adjourn that general meeting from time to time and from place to place.
- 49.4 There shall not be transacted at an adjourned general meeting any business other than business left unfinished or on the agenda at the time when the general meeting was adjourned.
- 49.5 When a general meeting is adjourned for a period of 30 Days or more, the Secretary shall give notice under section 48 of the adjourned general meeting as if that general meeting were a fresh general meeting.
- 49.6 At a general meeting:
- i. an ordinary resolution put to the vote shall be decided by a majority of votes cast on a show of hands, subject to section 49.9;
  - ii. a special resolution put to the vote shall be decided by a majority of not less than three quarters of the members of MSAND who are present at the meeting and who are entitled under the constitution of MSAND to vote and vote in person, by proxy or postal vote, subject to section 49.9.
- 49.7 A declaration by the Chairperson at a general meeting that a resolution has been passed as an ordinary resolution or as a special resolution shall be evidence of that fact unless, during the general meeting at which the resolution is submitted, a poll is demanded in accordance with section 49.8.
- 49.8 At a general meeting, a poll may be demanded by the Chairperson or by three or more members present in person or by proxy and, if so demanded, shall be taken in such manner as the Chairperson directs.





- 49.9 If a poll is demanded and taken under section 49.8 in respect of an ordinary resolution or a special resolution, a declaration by the Chairperson of the result of the poll is evidence of the matter so declared.
- 49.10 A poll demanded under section 49.8 must be taken immediately on that demand being made.

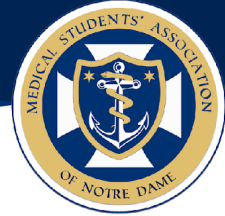
**50. *Voting rights and proxies of members at MSAND***

- 50.1 Subject to this constitution, each member present in person or by proxy at a general meeting is entitled to a deliberative vote.
- 50.2 A member (in this section called "the appointing member") may appoint in writing another member who is a natural person to be the proxy of the appointing member and to attend, and vote on behalf of the appointing member at, any general meeting.

**51. *Minutes of meetings of MSAND***

- 51.1 The Secretary shall cause proper minutes of all proceedings of all general meetings to be taken and then to be documented within 30 Days after the holding of each general meeting in a minute book kept and maintained for that purpose.
- 51.2 The President, Vice-President Internal or Vice-President External shall ensure that the minutes taken of a general meeting are checked and approved as correct by the Chairperson of the general meeting to which those minutes relate or of the next succeeding general meeting, as the case requires.
- 51.3 When minutes have been documented and approved as correct under this section, they shall, until the contrary is proved, be evidence that:
- i. the general meeting to which they relate (in this subsection called "the meeting") was duly convened and held;
  - ii. all proceedings recorded as having taken place at the meeting did in fact take place at the meeting;
  - iii. all appointments or elections purporting to have been made at the meeting have been validly made.





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- 51.4 All minutes are to be made available to all members of the student body through:
- i. the MSAND website;
  - ii. MSAND social media platforms.



## **Part 5: Elections**

### **52. Election governance**

- 52.1 All elections, polls and referendums are to be run in accordance with this Constitution and any election by-laws passed by an Absolute Majority of the MSAND Committee.
- 52.2 The general elections for members of MSAND Committee shall be held annually not less than 14 Days before the holding of the MSAND Annual General Meeting.
- 52.3 Subject to the following provisions, all members of MSAND Committee shall be elected at the Annual General Election.

### **53. Terms of office**

- 53.1 The term of office for MSAND Committee Members shall commence:
  - i. for those elected at an Annual General Election, at a Handover Meeting which shall be conducted by the end of the calendar year and as soon after the completion of all student exams as possible. The period between the Annual General Meeting and commencement date shall be a designated handover period during which the outgoing Committee Member must meet with their elected successor to handover their portfolio;
  - ii. in the case of a casual vacancy arising under section 23, at the time of appointment;
  - iii. for those co-opted by the MSAND Committee, at the time of the passing of the MSAND Committee's resolution or the date the vacancy occurs, whichever is the latter;
  - iv. for MEDI6100 Year Representatives, at the time of the announcement of election results by the Secretary.
- 53.2 All MSAND Committee Members' terms of office shall conclude at the completion of the Handover Meeting.

### **54. Filling casual vacancies**

- 54.1 If any office of MSAND Committee falls vacant:



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- i. within the first two weeks of first semester then the candidate who received the next highest amount of votes for that position at the preceding Annual General Election shall fill the vacancy;
    - a) if the person elected as per section 54.1.i to fill the vacancy is unable or unwilling to act in that capacity then the candidate who received the next highest amount of votes for that position at the preceding Annual General Election shall fill the vacancy;
    - b) each such unsuccessful candidate will be considered in turn until the position has been filled;
    - c) if none of the unsuccessful candidates for the position at the Annual General Election are willing and able to take up a vacated position, or there were no other candidates for the position at the Annual General Election, then MSAND may co-opt an eligible person to take up the position subject to section 54.3.
  - ii. on or after the last day of the second week of first semester then MSAND Committee may co-opt an eligible person to the position subject to section 54.3;
  - iii. in the event of an incoming MSAND Committee Member failing their exams after accepting a position for the following year, it is the responsibility of the incoming MSAND President to consult the MSAND Committee Member to discuss their position. If they choose to hold their position, the MSAND President must fully support their decision. This does not apply to Year Representatives, who must be in the cohort they are representing, and therefore are not eligible to retain their position should they need to repeat a year.
- 54.2 MSAND shall within one month of the occurrence of the vacancy, fill any casual vacancy amongst its members.
- 54.3 When filling a vacancy on the MSAND Committee by co-opting, the Committee shall select the person from its members.

**55. Qualifications for enrolment to vote**

- 55.1 To be eligible for enrolment for MSAND elections a person must be:
- i. a medical student at the SoM;
  - ii. otherwise disqualified.



**56. Qualifications for candidates**

- 56.1 All members are eligible to be candidates for the positions of the MSAND Committee.
- 56.2 A person shall be disqualified from candidature if they are:
- i. not a member;

**57. Election procedure**

- 57.1 Subject to the provisions of this Constitution, a member of MSAND Committee may only be elected as follows:
- i. the Committee shall, at the time of the Annual General Elections appoint the Returning Officers, who:
    - a) shall supervise and count the ballot;
    - b) must be neutral and publicly perceived as such;
    - c) include all members of the MSAND Executive excluding those nominated for any position in that election;
    - d) in the case of an MSAND Executive member being excluded from the Returning Officers, their position shall be substituted by a MSAND Committee Member to ensure there are 5 Returning Officers supervising the election.
  - ii. the Secretary shall post notice calling for nominations for the positions on the Committee at least fourteen Days before the Annual General Election;
  - iii. nominations for the positions shall be submitted to the Secretary and shall:
    - a) be submitted by email;
    - b) include a declaration that the applicant has spoken with the Committee Member currently sitting in the office for which the applicant has nominated, and has read the MSAND Position Descriptions document;
    - c) not be submitted in collaboration with another candidate for a position in which more than one candidate is elected, including submitting a combined nomination for two or more candidates, or making specific reference to being elected alongside another candidate in the submitted nomination;
    - d) in the case of the Aboriginal Representative, be confirmed by the Associate Dean Aboriginal Health as a suitable candidate;
    - e) be received by the Secretary no later than 48 hours before the commencement of the voting in the Annual General Election.



- iv. a candidate may nominate for more than one position, and, if the candidate is successful in more than one position, the following rules will apply:
    - a) should the applicant be elected in to two executive roles, they will assume the position in order of; President, Vice President Internal, Vice President External, Treasurer, Secretary;
    - b) should the applicant be elected in to one executive and one non-executive position, they will assume the position of the executive;
    - c) should the applicant be elected into two non-executive roles, they may choose their preferred position.
  - v. the names of the candidates on the ballot forms will be in order of application received by the Secretary.
  - vi. voting will be open for 7-14 days
- 57.2 MEDI6100 Year Representatives shall be elected separate to the Annual General Elections in accordance with the following:
- i. The Secretary shall post a call for nominations in the second or third week of MEDI6100 semester one;
  - ii. Candidates will be required to provide a 2 minute presentation at a time and place specified by the Secretary that must be no less than 7 days from the call for nominations.
- 57.3 Candidates may not engage in any form of campaigning or self-promotion in relation to the Annual General Election.
- 57.4 Voting shall be voluntary and no sanctions are attached to failure to vote.
- 57.5 Each voter may only vote once per election or referendum.
- 57.6 Voting will be by secret ballot and voting may be by online vote.
- 57.7 All members qualified to vote in accordance with section 55 may vote on all contested positions, except:
- i. MEDI6100 Year Representatives, for whom only current MEDI6100 students may vote;
  - ii. MEDI6200 Year Representatives, for whom only current MEDI6100 students may vote;
  - iii. MEDI6300 Year Representatives, for whom only current MEDI6200 students may vote;



- iv. MEDI6400 Year Representatives, for whom only current MEDI6300 students may vote;
  - v. Aboriginal Representative, for whom only students who have identified as Aboriginal or Torres Strait Islander may vote.
- 57.8 All positions on the Committee will be determined on a first-past-the-post voting system as follows:
- i. where one Committee Member is to be elected and more than one candidate is contesting the position, the candidate who receives the highest number of votes shall be declared elected to the position;
  - ii. where two Committee Members are to be elected and more than two candidates are contesting the position, the two candidates who receive the highest number of votes shall be declared elected to the position;
  - iii. where the number of candidates is equal to the number of Committee Members to be elected for the position, that/those candidate/s shall be declared elected to the position;
  - iv. in the event that the voting is tied between two or more candidates with respect to any of the positions:
    - a) the tied candidates only shall be put forward for a second round of voting;
    - b) in the case that all the candidates for the position have tied, then a second round of voting shall still take place;
    - c) if a second round of voting fails to resolve the tie, then votes from the MEDI6400 cohort shall be discounted if applicable;
    - d) if discounting of MEDI6400 cohort votes fails to resolve the tie, then the Returning Officers shall vote and the winner decided by simple majority.
- 57.9 In the event that there are no candidates contesting a vacant position on the Committee the position will be declared unfilled by the Returning Officers and the MSAND Committee may, within one month of taking office, co-opt an eligible person to take up the position provided that such person satisfies the qualifications for candidates contained in section 56.
- 57.10 Any disputes or complaints about the conduct of elections shall be referred in the first instance to the Returning Officers, except that where the disputes or complaints involve any action or inaction taken by the Returning Officers, the disputes or complaints shall be referred to the Immediate Past President, whose determination on the matter shall be final.



**58. Referendums**

- 58.1 The MSAND Committee shall submit a question as a referendum of the student body, if:
- i. the MSAND Committee resolves by an Absolute Majority;
  - ii. a general meeting resolves by a simple majority;
  - iii. 20% of the current membership submit a petition to the President.
- 58.2 Unless expressed to the contrary in this section, sections applying to an Annual General Election shall also apply to a Referendum in so far as they are appropriate and practical.
- 58.3 In a referendum each member is entitled to one vote.
- 58.4 Referendums may be held in conjunction with any election.
- 58.5 The MSAND Committee shall determine all matters of detail in connection with any referendum.
- 58.6 The result of a referendum shall be decided in the affirmative by an Absolute Majority of the votes.
- 58.7 A valid vote in a referendum is a ballot paper that has only the question and “yes” or “no” written on the ballot paper unless otherwise determined by the Executive prior to the commencement of voting in a referendum.



## **Part 6: Constitution of MSAND**

### **59. Constitution of MSAND**

- 59.1 This constitution binds every member to the same extent as if every member had signed and sealed this constitution and agreed to be bound by all their provisions.
- 59.2 An amendment to this Constitution may be proposed by:
- i. a special resolution passed by a 75% majority of members present and entitled to vote at a general meeting.
- 59.3 This constitution may be made, altered or repealed in accordance with the following procedure:
- i. a resolution to amend shall be put to a general meeting as a special resolution as in section 49.6;
    - a) if at the general meeting required by section 49.6, alterations are made to the proposed amendment in form only, the proposed amendment may be voted on at the general meeting;
    - b) if at the general meeting required by section 49.6, alterations are made to the proposed amendment that affect the substance of the proposed amendment, the change will constitute a new proposed amendment and the procedures outlined in this section must be followed through again for the new proposed amendment.
  - ii. within one month of the passing of a resolution to amend the Constitution, the Secretary shall provide to the student body a notice of the resolution setting out particulars of the amendment which has been confirmed and signed by the Chairperson presiding at that general meeting.

### **60. MSAND common seal**

- 60.1 MSAND shall have a common seal on which its name appears in legible characters.
- 60.2 The common seal of MSAND must be kept in the custody of the Secretary or of such other persons as the Committee from time to time decides.





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60.3 The common seal shall not be used without the express authority of the Committee.

**61. *Inspection of MSAND records***

61.1 A member may at any reasonable time inspect without charge the books, documents, records and securities of MSAND.

61.2 A member is entitled to inspect and take a copy of the register of members, record of office holders, and the rules of an incorporated association.

**62. *Distribution of surplus property on closing MSAND***

62.1 If upon the winding up or dissolution of MSAND there remains after satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the members but shall be given or transferred to another association incorporated under the Act which has similar objects and which is not carried out for the purposes of profit or gain to its individual members and which association will be determined by the resolution of the members when authorising and directing the Committee to prepare a distribution plan of the surplus property of the association.